

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 4 FISHERIES

PART 1 MARINE LIFE CONSERVATION DISTRICTS

CHAPTER 34

PUPUKEA MARINE LIFE CONSERVATION DISTRICT, OAHU

- §13-34-1 Definitions
- §13-34-2 Boundaries
- §13-34-3 Prohibited activities
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§13-34-1 Boundaries. The Pupukea Marine Life Conservation District shall include that portion of the submerged lands and overlying waters offshore of the Pupukea Beach Park and adjoining areas beginning at the highwater mark on the shoreline and those lands described in "Pupukea Marine Life Conservation District, situated in the offshore waters of Pupukea, Koolauloa, Island of Oahu, Hawaii" (C.S.F. No. 19557) dated July 21, 1982, on file with the departments of land and natural resources, and accounting and general services, and delineated in "Map of the Pupukea Marine Life Conservation District, Oahu 07/21/82" attached at the end of this chapter. [Eff: 1/13/83] (Auth: HRS §190-3) (Imp: HRS §§190-1, 190-2, 190-3)

§13-37-2 Prohibited activities. No person shall engage in the following activities within the Pupukea Marine Life Conservation District:

- (1) Fish for, catch, take, injure, kill, possess, or remove any finfish, crustacean, mollusk including sea shell and opihi, live coral, or other marine life, or eggs thereof;
- (2) Take, alter, deface, destroy, possess, or remove any sand, coral, rock, or other

- geological feature, or specimen;
- (3) Have or possess in the water, any spear, trap, net, crowbar or other device that may be used for the taking or altering of marine life, geological feature, or specimen. [Eff: 1/13/83] (Auth: HRS §§190-3) (Imp: HRS §§190-1, 190-3)

§13-34-3 Permitted activities. A person may:

- (1) Have or possess any fishing pole and hook and line, and fish for, catch, take, possess, or remove any finfish using such fishing gear from the shoreline only;
- (2) Have or possess any spear, provided:
 - (A) any diver may, without SCUBA, use spears to fish for, catch, take, possess, or remove any finfish from within the District; and
 - (B) any diver may possess, while transiting the District, any spear and any finfish or other marine life taken outside of the District;
- (3) Possess and use legal nets to fish for, catch, take, possess and remove any finfish and crustacean, not otherwise prohibited or regulated, from that portion of the District north of a straight line drawn as the seaward extension of the northern shoreline of "Sharks cove" to, and intersecting the seaward boundary of the District as delineated in "Map of the Pupukeya Marine Life Conservation District, Oahu 07/21/82" attached at the end of this chapter;
- (4) Take, possess, or remove any algae or limu; and
- (5) Possess in the water, any knife, and any shark billy, bang stick, powehead, or carbon dioxide (CO₂) injector for the sole purpose of personal safety. [Eff: 1/13/83] (Auth: HRS §190-3) (Imp: HRS §§190-1, 190-3)

§13-34-4 Exceptions; permits. The department may issue permits to engage in activities otherwise prohibited by law and section 13-34-2 for scientific, propagation, or other purposes as provided by law, provided that:

- (1) The board may impose terms and conditions it

deems necessary to carry out the purpose of chapter 190, HRS;

- (2) The board may revoke any permit for any infraction of the terms and conditions of the permit; and
- (3) A person whose permit is revoked shall not be eligible to apply for another permit until the expiration of a specified period from the date of revocation as provided by law. [Eff: 1/13/83;] (Auth: HRS §190-3) (Imp: HRS §§187A-6, 190-4)

§13-34-5 Penalty. A person violating the provisions of this rule or the terms and conditions of any permit issued as provided by this rule, shall be guilty of a petty misdemeanor, and upon conviction thereof, shall be punished as provided by law. [Eff: 1/13/83;] (Auth: HRS §190-3) (Imp: HRS §190-5)

